

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
WESTERN DIVISION

IN RE:) CHAPTER 13
DEREK W. SMITH) CASE NO. 18-81812
Debtor(s).)

ORDER CONFIRMING PLAN

The matter presented being confirmation of the plan under Chapter 13 of the Bankruptcy Code, filed as docket no. 22 (the Chapter 13 "Plan"), having been found by the court, after due notice and hearing, to comply with the provisions of 11 U.S.C. § 1325;

IT IS HEREBY ORDERED that the Plan is confirmed.

IT IS FURTHER ORDERED that:

- (1) Notwithstanding any provision of the plan to the contrary, all property of the estate, as specified by 11 U.S.C. §§ 541 and 1306, shall continue to be property of the estate following confirmation, unless (1) the Chapter 13 Plan provides for surrender of the property, or (2) the property is sold pursuant to the Chapter 13 Plan or court order;
- (2) On or before May 15th of the year following the filing of the case and each year thereafter, the debtor(s) shall submit a copy of the prior years filed Federal and State tax returns to the Trustee. The Chapter 13 Plan is hereby amended accordingly;
- (3) The debtors shall file an Amended Schedule I when debtor becomes employed. The Chapter 13 Plan is hereby deemed amended accordingly.
- (4) The confirmation herein shall not bar the Trustee from seeking modification of the Chapter 13 Plan if it appears that additional disposable income is available to fund the Plan. The Chapter 13 Plan is hereby amended accordingly; and
- (5) Notwithstanding any provisions of the Chapter 13 Plan to the contrary, the debtor(s) shall pay on or before every May 1st following the entry of this Order all tax refunds above \$2000 per year into the plan in addition to the base. The base shall be automatically increased by said amount without motion, hearing or court order after the Trustee's office has received a copy of any tax return of the debtor(s) that provides for a refund. The Chapter 13 Plan is hereby amended accordingly.

ENTER:

JUDGE THOMAS M. LYNCH

Dated: JAN 17 2019

Lydia S. Meyer, Trustee
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